

**STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF REGISTERED NURSING MINUTES**

DATE: November 30, 2007

TIME: 9:00 am Both Days

LOCATION: Doubletree Guest Suites
2085 S. Harbor Blvd.
Anaheim, CA 92802

PRESENT: LaFrancine Tate, Public Member, President
Susanne Phillips, MSN, RN, APRN-BC, FNP, Vice-President
Carmen Morales-Board, MSN, RNC, NP
Grace Corse, RN
Janice Glaab, Public Member
Nancy L. Beecham, RNC, BS

NOT PRESENT: Andrea Guillen Dutton, (11/29-30/07)
Elizabeth O. Dietz, Ed.D., RN, CS-NP (11/29-30/07)

ALSO PRESENT: Ruth Ann Terry, MPH, RN, Executive Officer
Heidi Goodman, Assistant Executive Officer
Christina Sprigg, Manager, Licensee and Administrative Services
Elliot Hochberg, Manager, Enforcement Program
Carol Stanford, Manager, Diversion/Probation Program
Louisa Gomez, Manager, Licensing Standards & Evaluation;
Advanced Practice
Louise Bailey, MEd, RN, Supervising NEC
Maria Bedroni, EdD, MN, RN, NP, Supervising NEC
Miyo Minato, MN, RN, NEC
Katie Daugherty, MN, RN, NEC
Kay Weinkam, MS, RN, CNS
Geri Nibbs, RN, MN, NEC
Carol Mackay, RN, NEC
Alice Takahashi, MS, RN, CNAA, NEC
Badrieh Caraway, RN, MS, Med, NEC
Janette Wackerly, MBA, RN, NEC
Samuel Reyes, Administrative Law Judge
Linda Sun, Deputy Attorney General
Anne Hunter, Deputy Attorney General
LaVonne Powell, DCA, Legal Counsel
Kimberly Ott, Enforcement Program
Eleanor Calhoun, Recording Secretary

Thursday, November 29, 2007

1.0 CALL TO ORDER

L. Tate, Board President, called the meeting to order at 9:20 am and had the Board Members introduce themselves. The Board welcomed students from Biola University, El Camino College, Golden West College, Imperial Valley College, Rio Hondo College, Saddleback College, and the University of Phoenix.

2.0 DISCIPLINARY MATTERS

The Board convened in closed session pursuant to Government Code Section 11126(c)(3) to deliberate on these matters and other disciplinary matters including stipulations and proposed decisions, and pursuant to Government Code Section 11126(e)(1, 2(A)) to confer with Legal Counsel regarding pending litigation.

BOOTMAN, Steven	GRANTED, 3 yrs. probation
BRACKETT, Constance	DENIED
CARTER, Cherrile	DENIED
CATAPANO, Sandra	GRANTED, 5 yrs. probation
INWANG, Atim	GRANTED
KAMINSKY-SKONEZNY, Tamara	GRANTED, 3yrs. probation
PERRY, Janet	GRANTED
SMITH, Mark J.	GRANTED
SMITH, Paul R.	DENIED

Closed Session Discussion Items

L. Tate, Board President, called the closed session meeting to order at 2:40 pm. The closed session adjourned at 4:15 pm.

Friday, November 30, 2007

L. Tate, Board President, called the meeting to order at 9:05 am and had the Board Members introduce themselves.

3.0 OPEN FORUM

The following individuals presented testimony on agenda item 11.3 – Revised “Board of Registered Nursing’s Response to the California Department of Education’s Agreement Related to the Administration of Insulin to Students at School by Unlicensed Personnel”.

A copy of some of the written testimony was provided to G. Nibbs, MN, RN, Nursing Education Consultant for the Board of Registered Nursing:

Adrienne Pederson, Anaheim School District

Donna Fox, Policy Consultant, California Nurses Association

Kathryn Hundemer, Savanna School District

Joan Cervisi, Children’s Hospital of Orange County

Genevieve Clavreul

Gayle McLean, California School Nurse Association

Stephanie Yellin-Mednica, California School Nurses Organization
Debbie George
James Woods, Atty. - Reed Smith

4.0 APPROVE/NOT APPROVE MINUTES OF September 21-22, 2007 Board Meeting

MSC: Phillips/Morales-Board that the Board approve minutes as corrected. 6/0/0

5.0 REPORT ON BOARD MEMBERS' ACTIVITIES

G. Corse, C. Morales-Board, and L. Tate attended the Magic in Teaching II & 1st Annual Clinical Simulation Conference in Newark, California on November 1-2, 2007. L. Tate also attended the Medical Board of California and Board of Registered Nursing Joint forum on the Use of Lasers for Cosmetic Procedures on October 31, 2007 in San Diego, California.

6.0 EXECUTIVE OFFICERS' REPORT ON BOARD AND DEPARTMENT ACTIVITIES

R. Terry presented this report

1.0 Board's Budget Update

The Board's current year budget is on schedule as expenditures were at 30% for the first quarter (July – September). This includes encumbered amounts for various contracts and our rent. It is anticipated that the Board's budget will be tight this year due to the hiring of five additional staff that were approved during the BCP process; however, funding for these positions was not approved.

2.0 Department of Consumer Affairs (DCA) Updates

Board Member Orientation – In accordance with Business and Professions Code Section 453, Board Members are required to attend DCA's Board Member Orientation within one year of their appointment. The next orientation will be held in Sacramento on February 6, 2008. The location has not yet been determined.

DCA Appointments

On November 20, 2007, Governor Schwarzenegger appointed Luis R. Farias to serve as Deputy Director of Communications. He served as an interim communications director for the State and Consumer Services Agency where he had served as a public affairs officer since 2005.

Sonja Merold was appointed as Chief of the Office of Examination Resources. Sonja's tenure at DCA spans more than 20 years. She has held various positions, including Personnel Management Analyst; Enforcement Program Manager for the Board of Registered Nursing and most recently Chief of the Policy & Publications Development (PPD) Office. We'd also like to take this opportunity to recognize Gary Weitman for his service as acting Chief during the recruitment process.

Yolanda Alvarez was appointed as the Department's Personnel Officer. Yolanda has 22 years of human resources experience spanning three state agencies. We would like to recognize Alyson Cooney for her service as acting Personnel Officer.

Lynda Swenson - was appointed as the Chief of the Division of Investigations. The Board takes this opportunity to recognize Rex Cowart for his assistance as he served as Acting Deputy Chief for the past ten months.

Daryl Walker – was appointed Deputy Chief of the Division of Investigations.

Departures - Nicole Rice, Deputy Director of Strategic Planning left the Department for a job in private industry. Bev Augustine is currently the Deputy Director of the Consumer and Community Relations Division and has agreed to be the Acting Deputy Director of Strategic Planning.

3.0 iLicensing Update

As of October 14, 2007, the request for proposal (RFP) was still pending at the Department of General Services. It was anticipated at that time that the RFP would be released by the end of November. Solicitations are underway for facilitation and documentation support throughout the RFP process. Additionally, the department is working on a marketing strategy for this project.

4.0 Public Record Request

The Board continues to comply with public record request and responds within the required timeframes that are set in the Government Code Section 6250. For the period of September 1 through November 13, 2007, the Board received and processed 56 public record requests.

5.0 BRN Website Update

The newly redesigned BRN website went live on October 25, 2007. The redesign is part of an effort to expand and refresh California's on-line presence, and to help visitors find the information they need as quickly as possible. Some notable changes include a new look-and-feel, the reorganization of the navigation and the structure of the home page, the Google search engine, and a statewide brand. Additionally, the "Nurse" Website that provided information on how to become a nurse, financial aid, and many other topics was added to this redesigned website and can be found under Careers in Nursing.

Jody Curto and Jennifer Roseberry, the Board's Information System Analysts have worked diligently for the past year to bring to life this redesigned website. They have ensured that the website is ADA compliant and that all DCA requirements have been met. A special thank you goes out to Jody and Jennifer for their continued hard work on the Board's website.

Disciplinary Actions – On November 14, 2007, the Board’s Website was updated to include monthly listings of formal disciplinary actions that have been taken against an RN license. Currently, the links to the documents include: Accusations, Statement of Issues, and Petitions to Revoke Probation.

Rebuild Your Life Website - DCA launched a website at www.rebuildyourlife.ca.gov and expanded its Call Center to help Southern California residents in their efforts to recover from the devastating wildfires. As of November 5th there were nearly 100,000 hits on the website. The Call Center can be reached through DCA’s toll free number at 800-952-5210. The link to this new DCA website is available on the Board’s website.

6.0 NCSBN Update

Nursys Committee - On November 15th-16th Heidi Goodman, AEO participated in the Nursys Committee meeting that was held in Chicago. This committee is responsible for the Nursys database that is used by member boards to verify the status of an RN license. The BRN does not supply our licensee information, but is able to use this system for verifications. Nursys is the system the Board uses to upload information regarding formal disciplinary actions that have been taken against an RN license in California to the federal databases that include the Health Integrity Practitioner Databank and the National Practitioner Databank. The charge of this committee is review and enhances services to all states, such as developing an unduplicated database of registered nurses.

On November 19th Larlee Walters, Licensing Analyst, attended the NCSBN Member Board Operations and Licensing Staff Conference that was held in Chicago. Additionally, Licensing Staff was able to watch a webcast of this conference. There were 37 states represented. The topics presented were the role of licensing staff, regulations and their importance to the licensing process; fraudulent documents, and the upcoming enhancements to the Nursys system.

7.0 Malaysian Delegation Meets with South El Monte Office

The South El Monte office was visited October 30th, 2007, by a Malaysian delegation: Dr. Bibi Florina Abdullah and Ms. Zainooriah Dato Hj Zakaria, Secretary of the Malaysian Ministry of Health, Dr. Bhaumik, President of Lincoln Nursing Program, and Dr. Pappas, consultant. Maria Bedroni provided them with information regarding California laws and regulations, how to start new RN programs, endorsements and continuing education.

8.0 Personnel

The following personnel changes have transpired since the last Board Meeting:

<i>New Hires</i>	<i>Classification</i>	<i>Board Program</i>
Laurie Brunner	Office Technician	Licensee Support
Michelle Meier	Office Technician	Cashiering
Enrique Leyva	Office Technician	Call Center
Gale DeVille	Office Technician	Call Center

Lori Clark	Office Technician	Call Center
Adan Yanez	Office Technician	Call Center
Ganesh Kumar	Office Technician	Call Center
Mengping Tsou	Key Data Operator	Licensing Support
Jenny Barnes	Staff Services Analyst	Enforcement

<i>Promotions</i>	<i>Classification</i>	<i>Board Program</i>
Mario Zetter	Office Technician	Licensing
Jennifer Roseberry	Asst Information Systems Analyst	Administration

<i>Separations</i>	<i>Classification</i>	<i>Board Program</i>
Delia Tomas	Staff Services Analyst	Licensing
Janet Kellam	Office Assistant	Office Support
Joan Lee	Office Technician	Administration

7.0 REPORT OF THE ADMINISTRATIVE COMMITTEE

L. Tate, Chairperson

7.1 Information Only: Schedule date for Strategic Planning

R. Terry presented this report

The Strategic Planning Workshop will be held on February 20, 2008, in Emeryville, California. This workshop is an opportunity for Board members and Executive staff to review and make any necessary changes to the existing plan. The workshop will be facilitated by an outside consultant.

7.2 Information Only: BRN 2008 Regulation Calendar

R. Terry presented this report

REGULATORY UPDATE: The Board has statutory authority to adopt, amend, and repeal regulations to implement provisions of the Nursing Practice Act. The regulations are found in Title 16, Division 14, of the California Code of Regulations (CCR). During calendar year 2007, the following regulatory actions occurred:

Clinical Nurse Specialists, CCR Article 10: At its September 2007 meeting, the Board approved adoption of CCR, Article 10, Clinical Nurse Specialists (CNS) regulations. The regulations will be promulgated for adoption in 2008. The regulatory process includes: submission of required forms and documents to OAL for publication of the proposed rulemaking action in the California Notice Register; a minimum 45-day public comment period and a public hearing; language modification, as necessary, based on public comments; approval by Board if substantive changes are made; and submission of the final rule-making file, including Economic Impact Statement, to Department of Consumer Affairs (DCA) for review and approval. Upon DCA approval, the rule-making file is

submitted to OAL. There is a one year timeframe from public notice to submission of the final rulemaking file to OAL.

Cite and Fines, CCR Section 1435.2: Board-approved regulatory language increasing the maximum fine for violation of the Nursing Practice Act from \$2500 to \$5000 has almost completed the regulatory process. The final rule-making file has been submitted to DCA for review and approval. The one-year timeframe for submission to OAL is February 1, 2008.

Disciplinary Guidelines, CCR Section 1444.5: The Board's "Recommended Guidelines for Disciplinary Orders and Conditions of Probation" are incorporated by reference in CCR Section 1444.5. The Board has approved revisions for the "Introductory Language and Standard Probation Conditions" section and the Mental Health Examination condition. Staff is working on proposed revisions for the remaining sections, and will submit to the Diversion/Discipline Committee by May 2008.

Schools of Nursing, CCR Article 3, Section 1420, et seq.: Revision of numerous sections of the article have been drafted and distributed to directors of Board-approved pre-licensure nursing programs. The revisions reflect current educational standards; incorporate outcomes and evidenced-based practice requirements in the school review and approval process; clarify and strengthen the authority, responsibility, and accountability of the nursing program director; and incorporate by reference the revised "Guidelines for Proposed New Programs to Prepare Students for Registered Nurse Licensure". Directors' comments are being reviewed by staff and the proposed regulations will be revised, as necessary, and submitted to Education/Licensing Committee in January or March 2008.

2008 REGULATORY CALENDAR: State agencies are required to submit a rulemaking calendar annually to OAL for publication in the California Regulatory Register. The rulemaking calendar, which describes projected changes to the California Code of Regulations, is due January 30, 2008, and is posted on both the BRN and OAL websites. In addition to adoption of CNS regulations, and amendment of the Disciplinary Guidelines and Schools of Nursing regulations, the following items will be included on the 2008 calendar:

Registered Nurse License Application, CCR Section 1410: Amend the regulation to include requirement that applicants for licensure with non-English, non-U.S. transcripts and academic documents must, under specified circumstances, provide the documents translated into English by an independent, professional translator.

Pharmacology Course for Furnishing of Drugs and Devices, Adopt Section: Adopt regulations specifying the pharmacology course requirements that must be completed by nurse practitioners and nurse-midwives to furnish drugs and

devices, and specifying the requirements necessary for nurse practitioners to furnish Schedule II controlled substances.

Disclosure Policy, Adopt Section: Place the “BRN Disclosure Policy” for disciplinary matters in regulations.

The Regulatory Calendar will be submitted to the Office of Administrative Law.

7.3 Information Only: Appointment of Nomination Committee

L. Tate presented this report

Andrea Guillen Dutton and Janice Glaab were appointed to co-chair the Nomination Committee. Board members interested in serving in the capacity of President or Vice-President were advised to forward their letter of interest to the committee by February 8, 2007. Elections will take place at the next board meeting on February 22, 2008.

8.0 REPORT OF THE LEGISLATIVE COMMITTEE

L. Tate, Chairperson

8.1 Information Only: Adopt/Modify Positions on the following Bills, and any other Bills of Interest to the Board

L. Bailey presented this report

L. Bailey provided a summary of bills that the BRN followed for 2007/2008, and the action taken by the Governor. The summary will be posted on the BRN website:

AB 139 - Chaptered 158	Bass: Vehicles: schoolbus drivers: medical examinations
AB 249 - Vetoed	Eng: Licensees: healing arts: settlement agreements
AB 342 – Chaptered 12	Saldana: Pupil health: individuals with exceptional needs
AB 1025 – Vetoed	Bass: Professions and Vocations: Licensure
AB 1135 – Vetoed	Strickland: State government: reports: declarations
AB 1559 – Chaptered 712	Berryhill: Public Postsecondary Education: Degree Nursing Programs
SB 102 – Chaptered 88	Midgen: Blood Transfusions
SB 139 - Chaptered 139	Scott: Nursing education
SB 1048 – Chaptered 588	Committee on Business, Professions & Education: Healing Arts

9.0 REPORT OF THE DIVERSION/DISCIPLINE COMMITTEE

G. Corse, Chairperson

9.1 Information Only: Enforcement Program Update and Statistics

E. Hochberg presented this report

A copy of the Enforcement Program statistics for the first two months of the fiscal year (July and August 2007) was provided for review.

Early projections indicate a 50% increase in the number of accusations filed over last fiscal year (504 to 336), even though the number of accusations filed in the last fiscal year was close to the record number of 338. The number of licensee disciplinary decisions is projected to be 18% less than last fiscal year (270 to 306).

The number of licenses surrendered or revoked is projected to be 60% of all disciplinary actions, and the number placed on probation (including those with suspension time) is projected to be 33% of all disciplinary actions. Miscellaneous disciplinary actions make up the remainder.

The number of cases pending at the Attorney General's (AG's) Office has remained approximately the same since the last report. However, this is still a historically high number (609) and may become a record number due to the increased number of accusations filed, and relatively lesser number of disciplinary actions taken.

The Board will continue to monitor statistics, with special emphasis on the increasing caseload at the AG's Office. Additionally, the Enforcement Program is monitoring the caseload and the number of hours being used by the Division of Investigation.

Update:

Enforcement Program Outreach Activities

In keeping with Enforcement Program goals and objectives, program manager Elliot Hochberg was a guest speaker for the Committee for Recognition of Nursing Achievement (CRONA) in Palo Alto, on October 2nd. CRONA is an organization representing nurses at Lucile Packard Children's Hospital and Stanford Hospital.

Mr. Hochberg provided an overview of the Enforcement Program, and disciplinary process. Mr. Hochberg's presentation followed guest speaker Maria W. O'Rourke, an education specialist with extensive knowledge of the Nursing Practice Act.

9.2 Approve/Not Approve: Legislative Proposal to Amend Business and Professions Code Section 2760.1

E. Hochberg presented this report

A copy of the legislative concept memo and proposal for amendments to Business and Professions Code Section 2760.1 was provided to the Department of Consumer Affairs Legislative Unit and to the Board members for review.

The proposal would amend the time period when applicants for licensure as registered nurses may petition the board for a change in their discipline status.

The proposed change would clarify that the time period when applicants for licensure as registered nurses may petition the board is based on the effective date of licensure, not the effective date of the decision. The petitioning time period would then be uniform for both applicants and licensees.

There is no fiscal impact to these changes in statute.

MSC: Morales-Board/Corse that the Board approve the legislative proposal to amend B& P Code Section 2760.1. 6/0/0

9.3 Information Only: Diversion Program Update and Statistics

C. Stanford presented this report

Program Update

On August 2, 2007, the Diversion Program Manager was interviewed by members of Australia's Drugs and Crime Prevention Committee regarding the misuse and abuse of prescription drugs by healthcare professionals. This committee was particularly interested in the Board's Diversion Program and the goal of public protection by early identification of impaired RNs and providing these nurses access to appropriate intervention programs and treatment services. The Board was provided with a copy of their Interim Report, which can be accessed at www.parliament.vic.gov.au/dcpc.

The Diversion Program hired Connie Johnson as an Office Technician.

Contract Update

All seven Boards are meeting bimonthly with DCA's Contract Unit to draft the Request for Proposal (RFP). The RFP will be released on October 31, 2007, for the next Diversion Program contract that will be awarded in 2008.

Diversion Evaluation Committees (DEC)

There are currently eleven vacancies as follows: four physicians, two public members and five registered nurses. Interviews were conducted and recommendations are included on today's agenda for approval. Recruitment efforts continue.

Statistics

A copy of the Monthly Statistical Summary Report for July and August 2007 was provided for review. As of August 30th, there were 1,247 successful completions in the Diversion Program.

9.4 Information Only: Probation Program Update and Statistics

C. Stanford presented this report

Program Update

On October 16th, the Diversion/Probation Manager and several staff attended the Nurse Support Group Facilitators Conference held in Burbank. This meeting was very informative for both the NSG facilitators and the BRN staff. Details of the conference and the meeting minutes will be provided for your review at the next DDC meeting.

Statistics

Below are the current statistics for the Probation Program through September 28, 2007.

MALE	127
FEMALE	327
CHEMICAL DEPENDENCY CASES	252
PRACTICE CASES	139
SOUTHERN CALIFORNIA	227
NORTHERN CALIFORNIA	227
PENDING AT THE AG	81
ADVANCED CERTIFICATES	36
TOTAL IN-STATE PROBATIONERS	454

9.5 Approve/Not Approve: (a) Diversion Evaluation Committee Member Appointments**(b) Information Only: Diversion Evaluation Committee Resignation**

C. Stanford presented this report

BACKGROUND:

In accordance with B&P Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation

Committees. Each Committee for the Diversion Program is composed of three registered nurses, a physician and a public member with expertise in chemical dependency and/or mental health.

a) APPOINTMENT

Below are the names of the candidate who are being recommended for appointment to the DEC. If appointed, their terms will expire June 30, 2011.

<i>NAME</i>	<i>TITLE</i>	<i>DEC</i>	<i>NO.</i>
William Slavin, DDS	Public	Burbank	8
Patti Velez	Public	Los Angeles	3
Marva Roddy	Nurse	Palm Springs	6
Cheryl Henriksen	Nurse	Sacramento	1
Deborah Steele	Nurse	Sacramento	1
Charles Freeman	Nurse	Fresno	5

b) INFORMATION ONLY

Below is the name of a DEC member who has had to resign for personal reasons. Her efforts were recognized and a certificate and letter of appreciation on behalf of the Board has been mailed out.

<i>NAME</i>	<i>TITLE</i>	<i>DEC</i>	<i>NO.</i>
Sandra Cleveland	Nurse	Fresno	5

The Board will continue recruiting efforts.

MSC: Tate/Beecham that the Board approve the DEC member appointments, reappointments/term extensions/transfers. 6/0/0

10.0 REPORT OF THE EDUCATION/LICENSING COMMITTEE

S. Phillips, for E. Dietz, Chairperson

10.1 Approve/Not Approve: Education/Licensing Committee Recommendations:

M. Minato presented this report

The Education/Licensing committee met on October 25, 2007 and makes the following recommendations:

Continue Approval of Nursing Education Program

- Maric College Associate Degree Nursing Program
- San Joaquin Valley College LVN to RN Associate Degree Nursing Program

Approve Major Curriculum Revision

- California State University, San Marcos, Baccalaureate Degree Nursing Program

- College of the Canyons Associate degree Nursing Program
- Grossmont College Associate Degree Nursing Program
- Maric College Associate Degree Nursing Program
- Pacific Union College Associate Degree Nursing Program

MSC: Beecham/Phillips that the Board approve the recommendations from the Education/Licensing Committee. 6/0/0

10.2 Ratify Minor Curriculum Revisions

M. Minato presented this report

According to Board policy, Nursing Education Consultants may approve minor curriculum changes that do not significantly alter philosophy, objectives, or content. Approvals must be reported to the Education/Licensing Committee and the Board.

The following programs have submitted minor curriculum revisions that have been approved by the NECs:

- Loma Linda University, Baccalaureate Program
- Sonoma State University, Entry Level Master's Program
- Imperial Valley College Associate Degree Nursing Program
- Western Career college LVN to RN Associate Degree Nursing Program

The following programs have submitted a progress report that has been accepted by the NECs:

- California State University, Fullerton, Entry Level Master's Degree Nursing Program
- California State University, Channel Island, Baccalaureate Degree Nursing Program
- California State University, San Marcos, Baccalaureate Degree Nursing Program
- Citrus College Associate Degree Nursing Program
- DeAnza Community College Associate Degree Nursing Program
- Southwestern College Associate Degree Nursing Program

MSC: Morales-Board/Tate that the Board approve the minor curriculum revisions. 6/0/0

10.3 Accept/Not Accept Feasibility Study for Mission College LVN to RN Associate Degree Nursing Program

M. Minato presented this report

Mission College (MC) is a public community college located within the city of Santa Clara and serves Santa Clara County. MC offers more than 70 academic, vocational, basic skills and enrichment programs to a diverse group of students with a mixture of social, cultural, religious, and ethnic heritages.

MC believes that the proposed program will provide the opportunities for LVNs to advance on the career ladder and ultimately increase the number of RNs in the area. There are two critical indicators identified by the college in support of this proposed program. Acute care hospitals in MC's service area are no longer hiring LVNs. Therefore, in order to be employed in nursing in an acute hospital, LVNs must have the opportunity to become RNs. Additionally, other ADN educational programs in the area have reduced the attrition rates, thus, there are less spaces available for LVN admissions in the second year.

MC has had an LVN program for the last 30 years graduating over 1,000 students. A survey was conducted polling the last three years of LVN graduates from the college and out of 235 respondents 188 responded that they were interested in this new proposed program.

The proposed program would be for Licensed Vocational Nurses who successfully pass a transition course and who will be admitted to the equivalent of the second year of an associate degree program. Core nursing courses will be scheduled over two semesters. Students will be granted credit equivalent to the first year of an ADN curriculum. The proposed curriculum will have 24 nursing unites (14 theory and 10 clinical) the total number of units for the Associate Degree will be 76 units.

An enrollment of 24 students is projected for the initial class beginning fall semester 2008. The total enrollment is dependent upon the capacity of the clinical sites to accommodate the students. If additional slots are available, the program will increase enrollment to 30 students.

The College has made the commitment to hire two FTE faculty members plus two additional clinical faculty to assure a clinical ratio 1:10. Additionally a part time counselor and a full time lab simulation technician were budgeted to support faculty.

West Valley Mission Community District was granted \$500,000 from the CCC Chancellor's office. The purpose for the grant is to fund the first two years start up cost necessary to begin the LVN-RN program. An Additional amount for \$216,000 is also anticipated. Good Samaritan Hospital also committed \$17,000 for two years. The remainder of the funds will come from the general fund monies.

MSC: Phillips/Morales-Board that the Board accept the Feasibility Study for Mission College LVN to RN ADN Program. 6/0/0

10.4 Grant/Not Grant Initial Approval for Concordia University Irvine Accelerated, Baccalaureate Degree Nursing Program

M. Minato presented this report

Dr. Colette York is the Consultant and the Interim Program Director. Mary Hobus was been hired to be the Assistant Director.

Miyo Minato, NEC, conducted an initial approval visit to Concordia University, Irvine on September 12, 2007. The program was found to be in compliance with Board's rules and regulations. Additional information was requested prior to the implementation of the program in May 2008 related to information on contract, list of contracted agencies, faculty list, course syllabi.

The Concordia University, Irvine, (CUI) is a part of a 10 campus university system that extends across the United States. The Irvine campus was established in 1972 and started classes in 1976. With a student body of over 2300, CUI offers degrees in a variety of fields within Adult Studies, Arts and Sciences, Business, Education, Family Life Ministry, Theology, and Education. It is accredited by the Western Association of Schools and Colleges (WASC), with its last visit occurring in 2005. The plans are underway to submit a substantive change proposal to WASC for the addition of this new program. If approved, this program is the only BSN program offering the accelerated track in the area.

The program being proposed is an accelerated BSN program. If granted Board approval, CUI will enroll its first group of students (30) in May 2008 and will admit annually those candidates with prior baccalaureate degree and who have completed required prerequisites. The proposed program will consist of three semesters, offered in a fifteen-week semester. This three-semester program will have 70 units required for licensure (40 nursing – 22 theory and 18 clinical; sciences 24 units, 6 units communication) and 120 units for BSN. The first class is expected to graduate in December 2009.

A visit will be made to the campus prior to May 2008 to check the completed skills lab and clinical agreements with agencies. An interim visit will be conducted to meet with students prior to their graduation in December 2009.

MSC: Tate/Phillips that the Board grant initial approval for Concordia University Irvine, Accelerated BSN Program. 6/0/0

10.5 Information Only: NCLEX Pass Rate Update

K. Daugherty presented this report

The Board of Registered Nursing receives quarterly reports from the National Council of State Boards of Nursing (NCSBN) about the NCLEX-RN test results by

quarter and with an annual perspective. The following tables show this information for 12 months and by each quarter.

NCLEX RESULTS – FIRST TIME CANDIDATES
October 1, 2006 – September 30, 2007

JURISDICTION	TOTAL TAKING TEST	PERCENT PASSED %
California	8,488	86.32
United States and Territories	118,699	85.74

CALIFORNIA NCLEX RESULTS – FIRST TIME CANDIDATES
By Quarters and Year – October 1, 2006- September 30, 2007

<i>10/01/06- 12/31/06*</i>		<i>01/30/07- 03/31/07*</i>		<i>04/01/07- 06/30/07*^</i>		<i>07/01/07- 09/30/07*</i>		<i>10/01/06- 09/30/07*</i>	
# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass
523	79.35	2,739	90.00	1,638	87.36	3,588	84.06	8,488	86.32

*Includes (12), (5), (6) & (13) “re-entry” candidates

^Revised NCLEX-RN Test Plan and passing standard (-0.21 logits) implemented
April 1, 2007

The Nursing Education Consultants monitor the NCLEX results of their assigned programs. Current procedure provides that after each academic year, if there is substandard performance (below 70% pass rate for first time candidates), the NEC requests that the program director submit a report outlining the program's action plan to address this substandard performance. Should this substandard performance continue in the second academic year, an interim visit is scheduled and a written report is submitted to the Education/Licensing Committee. If there is no improvement in the next quarter, a full approval visit is scheduled within six months. A report is made to the Education /Licensing Committee following the full approval visit.

The Board will continue to monitor results

11.0 Report of the Nursing Practice Committee
S. Phillips, Chairperson

Agenda Reordered

11.3 Approve/Not Approve Revised “Board of Registered Nursing’s Response to the California Department of Education’s Agreement Related to the administration of Insulin to Students at School by Unlicensed Personnel”

G. Nibbs presented this report

As directed by the Board at its September 21, 2007, meeting, the proposed response “Administration of Insulin in Schools by Unlicensed Personnel” was referred to the Nursing Practice Committee to provide opportunity for more public input. The response was discussed at the Committee’s October 25, 2007, meeting.

Summary of Written and Verbal Comments: As of November 13, 2007, the Board has received approximately 400¹ letters and e-mails related to the proposed response. Ten individuals spoke at the September Board meeting and 20 spoke at the Nursing Practice Committee meeting. Parents and grandparents of children with diabetes, a 6th grade student and an adult with diabetes, school nurses and other registered nurses, physicians, school administrators and staff, and individuals representing organizations, i.e., American Diabetes Association, American Nurses Association-California, California Nurses Association, California School Nurses Organization, Diabetes Coalition of California, and Islets of Hope have submitted written and/or verbal comments. Following are highlights from the comments:

1. An agreed upon and recurring theme in both verbal and written comments was that students with diabetes are being denied services to which they are legally entitled. Schools are refusing to provide diabetic-related services, including the administration of insulin to eligible students.
2. Majority (381 of 432) urged the Board to reject the proposed statement.
3. Many acknowledged the vital role of the school nurse in ensuring the health and safety of students, but also stated that there will never be enough nurses to ensure a nurse will always be available at school and school-related activities. There were also expressions of willingness to work with the Board on the issue.
4. Concern was expressed about use of contracted licensed staff to administer insulin because of their lack of knowledge about the student and inability to respond quickly if needed.
5. A major area of disagreement was whether or not students will be placed at risk if unlicensed school personnel are permitted to administer insulin. The overwhelming majority (381 of 432) stated that: unlicensed persons can

¹ Two hundred eighty five (285) of the letters were a form letter, and 77 were an expansion/modification of the form letter primarily from parents of children with diabetes describing the obstacles and challenges they confront on a regular basis in obtaining legally-mandated services for their children.

provide safe care, if properly trained and supervised; non-medical personnel (e.g., parents, siblings, etc.) are routinely trained to administer insulin; unlicensed persons are safely administering insulin in schools in other states; and that training non-medical school personnel to administer insulin when a school nurse is not present is in the best interest of students with diabetes. They also stressed the importance of children with diabetes having access to insulin to prevent complications of diabetes.

The remaining respondents contend that students are/will be placed at risk if unlicensed persons are trained to administer insulin. School nurses cited specific incidents where students were or would have been at risk.

6. The legal authority for unlicensed school personnel to administer insulin was challenged by several individuals and the nursing organizations. Two individuals disagreed with the statement that unlicensed school personnel are not authorized by California law to administer insulin.

Revisions: The issue for the Board at this point is not whether or not unlicensed personnel can or cannot safely administer insulin, but their statutory authority to do so. The Board concurs with CDE's determination of who is legally authorized to administer insulin based on California law, but disagrees with its determination that, pursuant to federal law, unlicensed voluntary school staff may administer insulin to eligible students. The American Nurses Association and the American Nurses Association-California have filed a lawsuit against State Department of Education seeking: declaration that category 8 in the Legal Advisory violates the Administrative Procedure Act, the Nursing Practice Act, and the California Constitutions; and for injunction prohibiting CDE from enforcing the category 8 option.

Until the legal issue is resolved, the proposed response is based on the Nursing Practice Act and its regulations and also takes into consideration CDE's Legal Advisory relative to who is legally authorized to administer medications pursuant to California law. Changes have been made in the proposed response based on public comment and include:

- specifying the Board's statutory mandate and mission to protect the health and safety of consumers;
- acknowledging the rights of eligible students to receive diabetic-related services in school;
- reminding school nurses of their responsibility, as client advocates, to ensure that students receive legally-required health services;
- clarifying that all school nurses and contracted nurses must provide care in accordance with the standards of competent performance.

Comments:
Donna Fox, CNA

Francine Kaufman, ADA
 Greta Parker
 Wendy Gilman
 Dee A.
 Cathy White
 Mark D.
 C. White
 Y. Lasmarias
 W. Gilman
 L. Flores, SEIU 521
 B. Strachan, SEIU 721
 Meredith Miles

MSC: Corse/Morales-Board that the Board approve the revised response to CDE's Agreement related to the administration of insulin to students at school by unlicensed personnel. 6/0/0

11.1 Information Only: August 30, 2007 and September 13, 2007 forum on Public Safety and the Use of Lasers for Cosmetic Procedures (Business and Professions code Section 2023.5) Medical Board of California and Board of Registered Nursing

J. Wackerly presented this report

Report deferred to next Board Meeting.

11.2 Information Only: Update on discussion from the American Psychiatric Nurses Association-California, Advanced Practice Committee Chair, Kevin McGirr, CNS, RN interest in Furnishing drugs and devices

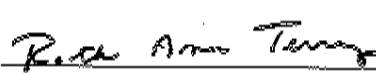

J. Wackerly presented this report

Kevin McGirr, CNS, RN, Chair of the American Psychiatric Nurses Association California Chapter, made a presentation to the Nursing Practice Committee on August 2, 2007 regarding APNAs obtaining furnishing authority for drugs and devices.

12.0 Public Forum

G. Clavreul

Meeting Adjourned at 1:15 p.m.

 Ruth Ann Terry, MPH, RN Executive Officer	 LaFrancine Tate President
---	--